#### **BARNES & THORNBURG**

11 South Meridian Street Indianapolis, Indiana 46204 (317) 236-1313 (317) 231-7433 Fax

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group:	Unknown	} Certificate Under 37 CFR 1.8(a)
Confirmation No.:	Unknown	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box
Application No.:	Unknown	addressed to Commissioner for Fatents, 1.0. Box
Invention:  Applicants:  Filed:	GASTRIC SUBMUCOSAL TISSUE AS A NOVEL DIAGNOSTIC TOOL Stephen F. Badylak, et al. February 10, 2004	on February 10, 2004  Compared to the second
Attorney Docket:	3220-74581	} } } }
Examiner:	Unknown	}

### **ASSOCIATE POWER OF ATTORNEY**

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

I, Richard A. Rezek, Registration No. 30,796, hereby appoint Rebecca L. Ball, Registration No. 46,535, as an associate attorney in the above-identified application, with power to prosecute this application, to make alterations and amendments therein, and to transact business in the Patent and Trademark Office connected therewith.

Respectfully submitted,
Respectfully submitted,
Respectfully submitted,

Richard A. Rezek Registration No. 30,796 Attorney for Applicants

RAR:vlw (317) 231-7511 Indianapolis, Indiana 46204

INDS02 RVB 635589v1

Antomey Docket No.: 3220-64298

# DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled:

GASTRIC SUBMUC	OSAL TISSUE AS A 1	NOVEL DIAGNOSIS TOOL	· ,th
specification of which			
(check one)	is attached hereto		
	XX was filed on	10 December 1997	as
	United States Application Se		or
		n No. <u>PCT/US97/22729</u>	
	and was amended on		·
	(1)	fapplicable)	·
I haraby daglara	that I have reviewed and under		
as amended by any amen	diat I have reviewed and unders diment referred to herein.	tand the contents of the above-identified	specification, including the claims,
as afficilited by any afficilit	micht referred to herein.	•	
Lacknowledge th	he dury to disclose information	which is material to patentability as de	stined in Title 37 Code of Endoral
Regulations, §1.56.	are duty to disclose information	which is material to patentability as de	inica in Tine 37, Code of Federal
<u></u> , 3	•		
I hereby claim fo	oreign priority benefits under	Title 35, United States Code, §119(a)-(d	) of any foreign application(s) for
patent or inventor's certific	rate on which priority is claimed	(as listed below) and I have also identi	fied below any foreign application
for patent or inventor's ce	nificate having a filing date be	fore that of the application on which pri	ority is claimed:
	•		
Prior Foreign Application	.(s)	•	Priority Claimed
			. `
(Number)	(Country)	. (Day/Month/Year Filed)	Yes No
(Number)	(Country)	(DavA(a-s) (V Fil-1)	
(!\dinbel)	(Country)	(Day/Month/Year Filed)	Yes No
I hereby claim he	enefit under Title 35 Linited St	ates Code, § 119(e) of any United State	or provisional application(s) listed
below.	mem ander Time 55. Office of	ares code, § 115(c) of any office state	s provisional application(s) listed
		(10.12.96)	·
60/032,686		10 December 1996.	
Application Number	:	Filing Date	
	•	•	
	·		
Application Number		Filing Date	
I hereby claim the	e benefit under Title 35, United	l States Code, §120 of any United State	s application(s) listed below and,
insofar as the subject matt	er of each of the claims of this	application is not disclosed in the prio	r United States application in the
manner provided by the firs	it paragraph of little 33, United	States Code, §112, I acknowledge the du	ty to disclose material information
as defined in little 37, Code	of Federal Regulations, §1.56()	o) which occurred between the filing da	te of the prior application and the
national of PC1 internation	nal filing date of this application	n:	- ·
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(Application Serial No.)	(Filing Date)	· · · · · · · · · · · · · · · · · · ·	
(Application Serial (Vo.)	(Filling Date)		patented, pending.
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(Application Serial No.)	(Filing Date)	(2:00:0	patented, pending.
( 'pp://eactors Serial 1.10.)	(1 mig Date)	(Status-	
		ananno	116(1)

I hereby appoint William R. Coffey, Reg. No. 24023; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Timothy E. Niednagel, Reg. No. 33266; Jill L. Woodburn, Reg. No. 39874; Nancy J. Harrison, Reg. No. 27083; R. Trevor Carter, Reg. No. 40549; Dilip A. Kulkarni, Reg. No. 27510; David B. Quick, Reg. No. 31993; Jill T. Powlick, Reg. No. 42088: Steven A. Church. Reg. No. 43550; Norman J. Hedges, Reg. No. 44151; Perry Palan. Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 311

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Michael S. Gzybowski, Reg. No. 32816; Gerard T. Gallagher, Reg. No. 39679; Robert D. Null. Reg. No. 40746; Alice O. Martin, Reg. No. 35601; and Gregory S. Cooper, Reg. No. 40965, as attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

BARNES & THORNBURG 11 South Meridian Street Indianapolis, Indiana 46204 Telephone (317) 236-1313

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Stephen F. BADYLAK	United States of America (US)
Full Name of Sole or First Joint Inventor	Country of Citizenship
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Inventor's Signature	Date
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	· .
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Second Inventor's Signature	Date
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Residence and Post Office Address	
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Third Inventor's Signature	Date
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Residence and Post Office Address	<del>-</del>
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Full Name of Fourth Joint Inventor, if any	Country of Cirizenship
	Country of Chizenship .
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Inventor's Signature	Date
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Residence and Post Office Address	-

Attorney Docket 1	٧٥.: _	3220-64298	

## DECLARATION AND POWER OF ATTORNEY - PATENT APPLICATION

As a below named inventor, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought in the application entitled:

	L TISSUE AS A NO	VEL DIAGNOSIS	TOOL	•	,the
specification of which	2				
(check one)	is attached hereto  XX · was filed on	0 December 199		•	
	ited States Application Seria		- <b>I</b>	- :	as or.
	T International Application		729		
and	d was amended on			<del></del>	
	(if a	pplicable)	•		
I hereby declare that as amended by any amendment	have reviewed and understant referred to herein.	nd the contents of the abov	e-identified specifica	nion, including the	claims,
I acknowledge the de Regulations, §1.56.	uty to disclose information w	which is material to paten	tability as defined in	Title 37, Code of	Federal
I hereby claim foreig patent or inventor's certificate of for patent or inventor's certific	n priority benefits under Tit on which priority is claimed ( ate having a filing date befo	as listed below) and I hav	e also identified belo	w any foreign app	n(s) for lication
Prior Foreign Application(s)			. ·	Priority (	Claimed
	•				
(Number)	(Country)	(Day/Month	(Year Filed)	Yes	No
		•		-	
(Number)	(Country)	(Day/Month	(Van Filed)	Yes	No
(Number)	(Codini y)		riear Filed)	i es	. 140
I hereby claim benefi	ı under Title 35, United Stat	es Code, § 119(e) of any	United States provis	sional application(s	) listed
below.		(10.12.96)		`.	
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Application Number	<del></del>	Filing Date	1990		. E
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					11
Application Number		Filing Date	,	•	ជ
I hereby claim the ber insofar as the subject matter o manner provided by the first par as defined in Title 37. Code of F national or PCT international fi	ragraph of Title 35, United St Federal Regulations, §1.56(b)	application is not disclose ates Code. §112. I acknow which occurred between	d in the prior United ledge the dury to disc	l States application	w and, in the mation
(Application Serial No.)	(Filing Date)		(Status-patentec	1 pending	
,	( <b>2                                </b>	*	abandoned)	F-112112.	
(Application Serial No.)	(Filing Date)		(Status-patented abandoned)	l, pending.	

I hereby appoint William R. Coffey, Reg. No. 24023; Richard D. Conard, Reg. No. 27321; Steven R. Lammert, Reg. No. 27653; Richard A. Rezek, Reg. No. 30796; Timothy E. Niednagel, Reg. No. 33266; Jill L. Woodburn, Reg. No. 39874; Nancy J. Harrison, Reg. No. 27083; R. Trevor Carter, Reg. No. 40549; Dilip A. Kulkarni, Reg. No. 27510; David B. Quick, Reg. No. 31993; Jill T. Powlick, Reg. No. 42088; Steven A. Church, Reg. No. 43550; Norman J. Hedges, Reg. No. 44151; Perry Palan, Reg. No. 26213; Mark M. Newman, Reg. No. 31472; Bobby B. Gillenwater, Reg. No. 31105; Paul B. Hunt, Reg. No. 37154;

Michael S. Gzybowski, Reg. No. 32816; Gerard T. Gallagher, Reg. No. 39679; Robert D. Null, Reg. No. 40746; Alice O. Martin, Reg. No. 35601; and Gregory S. Cooper, Reg. No. 40965, as attorneys of record with full power of substitution and revocation, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith, and I specify that communications regarding the application be directed to:

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Scephen 1. BADTBAK	- '	United States of America (1)	<u> </u>
Full Name of Sole or First Joint Inventor		Country of Citizenship	
		·	
Inventor's Signature	-	Date	· ·-•• · ·
1150 Kingswood Road South	_	•	
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West Lafayette, IN 47906 Residence and Post Office Address	-	·	
Accordance and Fost Carlos Address	•		
Common Description		IInited Chatan S 3	
George B. BODER Full Name of Second Joint Inventor, if any	•	United States of America (US Country of Citizenship	ž J
Tun Name of Second some inventor, it any		X 2 O C XI 1	
C I T		Date 12 2 1999	<del></del>
Second Inventor's Signature		Date Jure, 3, 1999	
1008 Maple Turn Road		· · · · · · · · · · · · · · · · · · ·	>
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Martinsville, IN 46151 Residence and Post Office Address		· .	کے
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Full Name of Third Joint Inventor, if any		Country of Citizenship	0
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Third Inventor's Signature		Date	8
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Residence and Post Office Address			Č
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Full Name of Fourth Joint Inventor, if any		Country of Citizenship	
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